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IN THE CLAIMS

Amended claims follow:

1. (currently amended) A computer program product comprising a computer program operable to control a computer to generate audit data indicative of a request to execute a computer program, said computer program comprising:

(i) computer virus scanner logic, responsive to a computer virus scan request including data identifying a computer file to be scanned for computer viruses, for performing a computer virus scan and for generating a scan result;

(ii) audit data generator logic separate from said computer virus scanner logic and being triggered by said computer virus scanner logic prior to said generating said scan result, and responsive to said data identifying said computer file to be scanned that is received from said computer virus scanner logic for simultaneously performing additional operations in parallel with said computer virus scan, said additional operations including [[, for]] identifying a request to execute a computer program associated with said computer file to be scanned for computer viruses by said computer virus scanner logic and, in response to identification of said request to execute said computer program, [[for]] generating audit data identifying said computer program; and

(iii) concurrent usage logic for performing a concurrent usage check for identifying a request to execute a further computer program that would result in said further computer program concurrently executing upon more than a predetermined number of computers upon a computer network;

wherein said predetermined number varies with time.

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2. (original) A computer program product as claimed in claim 1, wherein a file access request to an operating system triggers generation of said computer virus scan request.

3. (original) A computer program product as claimed in claim 1, wherein said audit data generator logic is responsive to data identifying one or more banned computer programs to identify a request to execute a banned computer program.

4. (original) A computer program product as claimed in claim 3, wherein, if a request to execute a banned computer program is identified, then one or more banned program actions are triggered, said banned program actions including one or more of:

- (i) said banned computer program is deleted;
- (ii) said banned computer program is disabled;
- (iii) said banned program is encrypted and replaced by a stub program; and
- (iv) an alert indicating detection of said banned computer program is issued.

5. (original) A computer program product as claimed in claim 3, wherein said data identifying one or more banned computer programs is a permitted computer program list with any computer program not included within said permitted computer program list being a banned computer program.

6. (cancelled)

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7. (previously presented) A computer program product as claimed in claim 1, wherein, if said concurrent usage check indicates that said request to execute said further computer program would result in more than said predetermined number of computers upon said computer network concurrently executing said computer program, then said request to execute said further computer program is denied.

8. (previously presented) A computer program product as claimed in claim 7, wherein a user message is displayed when execution of said further computer program is prevented.

9. (cancelled)

10. (previously presented) A computer program product as claimed in claim 1, wherein at certain times said predetermined number is zero.

11. (original) A computer program product as claimed in claim 1, wherein said audit data generator logic calculates a checksum value from said computer file, said checksum value being used in identification of said computer file as a particular computer program.

12. (original) A computer program product as claimed in claim 11, wherein said audit data generator logic stores said calculated checksum value and uses said stored calculated checksum values instead of recalculating said checksum value when said

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computer file subject to a subsequent access without any intervening change having been made to said computer file.

13. (original) A computer program product as claimed in claim 1, wherein said audit data generator logic is responsive to a non-user specified database of data indicative of particular computer programs.

14. (original) A computer program product as claimed in claim 1, wherein said audit data generator logic is responsive to a user specified database of data indicative of particular computer programs.

15. (original) A computer program product as claimed in claim 1, wherein said computer virus scan request results from an on-access scan.

16. (original) A computer program product as claimed in claim 1, wherein said computer virus scan request results from an on-demand scan.

17. (original) A computer program product as claimed in claim 1, wherein local audit data is stored upon a computer within a computer network until said computer is polled by a remote computer upon said computer network whereupon said local audit data is sent to said remote computer.

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18. (original) A computer program product as claimed in claim 17, wherein said remote computer generates a consolidated audit report for a plurality of computers upon said computer network.

19. (currently amended) A method of generating audit data indicative of a request to execute a computer program, said method comprising the steps of:

- (i) responsive to a computer virus scan request within a computer virus scanner, performing a computer virus scan and generating a scan result, said computer virus scan request including data identifying a computer file to be scanned for computer viruses;
- (ii) triggering operation of an audit data generator which is separate from said computer virus scanner, using said computer virus scanner prior to said generating said scan result, said audit data generator being responsive to said data identifying said computer file to be scanned that is received from said computer virus scanner for simultaneously performing additional operations in parallel with said computer virus scan, said additional operations including [[to]]identifying a request to execute a computer program associated with said computer file to be scanned for computer viruses by said computer virus scanner;
- (iii) in response to identification of said request to execute said computer program, generating audit data identifying said computer program; and
- (iv) performing a concurrent usage check for identifying a request to execute a further computer program that would result in said further computer program concurrently executing upon more than a predetermined number of computers upon a computer network;

wherein said predetermined number varies with time.

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20. (original) A method as claimed in claim 19, wherein a file access request to an operating system triggers generation of said computer virus scan request.

21. (original) A method as claimed in claim 19, wherein said audit data generator is responsive to data identifying one or more banned computer programs to identify a request to execute a banned computer program.

22. (original) A method as claimed in claim 21, wherein, if a request to execute a banned computer program is identified, then one or more banned program actions are triggered, said banned program actions including one or more of:

- (i) said banned computer program is deleted;
- (ii) said banned computer program is disabled;
- (iii) said banned program is encrypted and replaced by a stub program; and
- (iv) an alert indicating detection of said banned computer program is issued.

23. (original) A method as claimed in claim 21, wherein said data identifying one or more banned computer programs is a permitted computer program list with any computer program not included within said permitted computer program list being a banned computer program.

24. (cancelled)

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25. (previously presented) A method as claimed in claim 19, wherein, if said concurrent usage check indicates that said request to execute said further computer program would result in more than said predetermined number of computers upon said computer network concurrently executing said further computer program, then said request to execute said further computer program is denied.

26. (previously presented) A method as claimed in claim 25, wherein a user message is displayed when execution of said further computer program is prevented.

27. (cancelled)

28. (previously presented) A method as claimed in claim 19, wherein at certain times said predetermined number is zero.

29. (original) A method as claimed in claim 19, wherein said audit data generator calculates a checksum value from said computer file, said checksum value being used in identification of said computer file as a particular computer program.

30. (original) A method as claimed in claim 29, wherein said audit data generator stores said calculated checksum value and uses said stored calculated checksum values instead of recalculating said checksum value when said computer file subject to a subsequent access without any intervening change having been made to said computer file.

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31. (original) A method as claimed in claim 19, wherein said audit data generator is responsive to a non-user specified database of data indicative of particular computer programs.

32. (original) A method as claimed in claim 19, wherein said audit data generator is responsive to a user specified database of data indicative of particular computer programs.

33. (original) A method as claimed in claim 19, wherein said computer virus scan request results from an on-access scan.

34. (original) A method as claimed in claim 19, wherein said computer virus scan request results from an on-demand scan.

35. (original) A method as claimed in claim 19, wherein local audit data is stored upon a computer within a computer network until said computer is polled by a remote computer upon said computer network whereupon said local audit data is sent to said remote computer.

36. (original) A method as claimed in claim 35, wherein said remote computer generates a consolidated audit report for a plurality of computers upon said computer network.

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37. (currently amended) Apparatus for generating audit data indicative of a request to execute a computer program, said apparatus comprising:

(i) a computer virus scanner, responsive to a computer virus scan request, for performing a computer virus scan and for generating a scan result, said computer virus scan request including data identifying a computer file to be scanned for computer viruses;

(ii) an audit data generator separate from said computer virus scanner and being triggered by said computer virus scanner [[logic]]prior to said generating said scan result, and responsive to said data identifying said computer file to be scanned that is received from said computer virus scanner for simultaneously performing additional operations in parallel with said computer virus scan, said additional operations including [[, for]] identifying a request to execute a computer program associated with said computer file to be scanned for computer viruses by said computer virus scanner and, in response to identification of said request to execute said computer program,[[for]] generating audit data identifying said computer program; and

concurrent usage monitor for performing a concurrent usage check for identifying a request to execute a further computer program that would result in said further computer program concurrently executing upon more than a predetermined number of computers upon a computer network;

wherein said predetermined number varies with time.

38. (original) Apparatus as claimed in claim 37, wherein a file access request to an operating system triggers generation of said computer virus scan request.

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39. (original) Apparatus as claimed in claim 37, wherein said audit data generator is responsive to data identifying one or more banned computer programs to identify a request to execute a banned computer program.

40. (original) Apparatus as claimed in claim 39, wherein, if a request to execute a banned computer program is identified, then one or more banned program actions are triggered, said banned program actions including one or more of:

- (i) said banned computer program is deleted;
- (ii) said banned computer program is disabled;
- (iii) said banned program is encrypted and replaced by a stub program; and
- (iv) an alert indicating detection of said banned computer program is issued.

41. (original) Apparatus as claimed in claim 39, wherein said data identifying one or more banned computer programs is a permitted computer program list with any computer program not included within said permitted computer program list being a banned computer program.

42. (cancelled)

43. (previously presented) Apparatus as claimed in claim 37, wherein, if said concurrent usage check indicates that said request to execute said further computer program would result in more than said predetermined number of computers upon said

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computer network concurrently executing said further computer program, then said request to execute said further computer program is denied.

44. (previously presented) Apparatus as claimed in claim 43, wherein a user message is displayed when execution of said further computer program is prevented.

45. (cancelled)

46. (previously presented) Apparatus as claimed in claim 37, wherein at certain times said predetermined number is zero.

47. (original) Apparatus as claimed in claim 37, wherein said audit data generator calculates a checksum value from said computer file, said checksum value being used in identification of said computer file as a particular computer program.

48. (original) Apparatus as claimed in claim 47, wherein said audit data generator stores said calculated checksum value and uses said stored calculated checksum values instead of recalculating said checksum value when said computer file subject to a subsequent access without any intervening change having been made to said computer file.

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49. (original) Apparatus as claimed in claim 37, wherein said audit data generator is responsive to a non-user specified database of data indicative of particular computer programs.

50. (original) Apparatus as claimed in claim 37, wherein said audit data generator is responsive to a user specified database of data indicative of particular computer programs.

51. (original) Apparatus as claimed in claim 37, wherein said computer virus scan request results from an on-access scan.

52. (original) Apparatus as claimed in claim 37, wherein said computer virus scan request results from an on-demand scan.

53. (original) Apparatus as claimed in claim 37, wherein local audit data is stored upon a computer within a computer network until said computer is polled by a remote computer upon said computer network whereupon said local audit data is sent to said remote computer.

54. (currently amended) Apparatus as claimed in claim 53, wherein said remote computer generates a consolidated audit report for a plurality of computers upon said computer network. [[.]]

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55.-57. (cancelled)

58. (new) A computer program product as claimed in claim 1, wherein said computer virus scanner logic generates said scan result after receiving a reply from said audit data generator logic.

59. (new) A computer program product as claimed in claim 1, wherein said computer virus scanner logic generates said scan result as a function of a reply from said audit data generator logic.

60. (new) A computer program product as claimed in claim 1, wherein a reply from said audit data generator logic is not used by said computer virus scanner logic if said scan result includes a failure.

61. (new) A computer program product as claimed in claim 1, wherein said data identifying said computer file is sent to said audit data generator logic prior to performing said computer virus scan.